
January 30, 2016

Press Release - For Immediate Release

Defendant's Name: Tommie Lay
Age: 50
City and State of Residence: Elk Point, SD
Criminal File Number: 15-110
Incident Date: April 9, 2015
Indictment Date: June 8, 2015
Arraignment Date: July 20, 2015
Change of Plea Date: November 9, 2015
Date of Sentencing: December 21, 2015
Convicted of: Ct. 1: Possession of a Schedule 1 or 2 Controlled Substance, 22-42-5, (F5)
Original Arresting Officer: Jon Feller – Union County Sheriff's Office
Tim Peet – Union County Sheriff's Office
James Proudly – Union County Sheriff's Office
Joshua Bridenstine – Union County Sheriff's Office
Trent Heuertz – SDHP
Jacob Limoges – EPPD

Case Synopsis:

On April 9, 2015, law enforcement was at the Lay residence serving an arrest warrant on Tommy Lay. Tommy Lay admitted that he had just smoked a marijuana joint. When officer requested that he produce the marijuana joint, Tommy Lay refused to comply. Officers then applied for and received a search warrant for the Lay residence. Officers found Marijuana, Drug Paraphernalia; and Cocaine. Nakia Lay provided a urine sample that tested positive for marijuana (THC) at a level of 259 ng/ml and positive for Benzoylcegonine (Cocaine) at a level of 22,101 ng/ml. Tommie Lay provided a urine sample that tested positive for 260 ng/ml of marijuana (THC) and 4,000 ng/ml of Benzoylcegonine (Cocaine).

Sentencing Synopsis:

On the charge of Possession of a Schedule 1 or 2 Controlled Substance, a class 5 felony, the Court sentenced Tommie Lay with a suspended five year sentence to the South Dakota State Penitentiary. The court further ordered that Lay complete a term of four years of supervised probation. Besides the standard terms of supervised probation, the Court ordered that Tommie Lay serve thirty days in the Union County Jail which was to start on January 1, 2017.

Criminal History:

Between SD and MO, this offense would appear to be Tommie Lay's fourth career felony conviction.